

Remarks

Claims 2-4 and 7-26 are pending in this application. Claims 2, 17, 18, 21, 25, and 26 have been amended in various particulars as indicated hereinabove.

Claims 21-26 were objected to because of informalities. The claims have been amended to overcome these objections.

Claims 2-4, 7-15, 17-18 and 20-26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Moskowitz, US Publication No. 2003/0200439 (Moskowitz hereinafter), in view of Menon et al., US Publication No. 2008/0215747 (Menon hereinafter) and Shieh, US Publication No. 2002/0184510 (Shieh hereinafter). In a related rejection, claims 16 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Moskowitz, in view of Menon, Shieh, and Jennings et al., US Publication No. 2002/0099842 (Jennings hereinafter).

These rejections are respectfully traversed for the following reasons.

Each of the claims has been amended to clarify that a client node indicates selection of the content. This content is published by an entity that is authorized to distribute the content. The content or electronic data are then transmitted to the client node. This tag is then authenticated in the network to determine the type of service accorded. Nevertheless, the content tag is discrete from the content in the content file transmission.

The notion of the content tag being discrete from the content in the content file transmission is illustrated in Fig. 17, which shows an exemplary content tag. This feature distinguishes the tag from that shown in Moskowitz, where a watermark is used that is encoded with the payload. See Moskowitz at [0027]. In fact, Moskowitz teaches away from the notion of "labeling". Id.

Moreover, the QoS requirements in the Menon metadata are different from that claimed. In the present claims, content is transported across the network as dictated by

the content tag. In contrast, the QoS requirements of the Menon metadata refer to the video quality itself, and not its network transport.

For these reasons, the rejections should be withdrawn.

It is believed that the present application is in condition for allowance. A Notice of Allowance is respectfully solicited. Should any questions arise, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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